

REMARKS

Status of the Claims:

Claims 1-5, 7, and 8 are pending in this application.

Claim Rejections:

Claims 1-5, 7, and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Palara (U.S. Patent No. 5,408,124) in view of Singh (U.S. Patent Application Pub. No. 2005/0269633).

With respect to claims 1-5, 7, and 8, the rejection is respectfully traversed.

Applicant respectfully notes that the filing date of the Singh reference is **June 3, 2004**.

The present application (U.S. Patent App. Ser. No. 10/566,813) is a U.S. national stage application of PCT Application No. PCT/GB2004/003018, which claims priority to UK application GB0318146.8. The UK application GB0318146.8 has a filing date of **August 2, 2003**, which is **prior to** the filing date of the Singh reference of **June 3, 2004**. A certified copy of the foreign priority UK application GB0318146.8 has been received by the USPTO in the present application. Support for claims 1-5, 7, and 8 of the present application can be found in UK application GB0318146.8 (e.g., p. 3, line 13 - p. 4, line 21; p. 5, lines 1-9; p. 5, line 23 - p. 6, line 30; p. 8, lines 2-22; Fig. 1). Accordingly, the Singh reference is **not** prior art with respect to the claims of the present application. Therefore, withdrawal of the rejection of claims 1-5, 7, and 8 is respectfully requested.

Applicant disputes the obviousness rejections provided in the Office Action. However, since the Singh reference is **not** prior art with respect to the claims of the present application, Applicant will not address the substance of the obviousness rejections in the Office Action at this time. Applicant reserves the right to argue against the obviousness rejections in the future, if needed.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP
Customer Number: 23392
Telephone: (213) 972-4594
Facsimile: (213) 486-0065

By T. R. Rittmaster Reg. No. 56,252

for
Ted R. Rittmaster
Attorney for Applicant
Registration No. 32,933